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BAR AND ALLIED ASSOCIATION PUBLICATIONS *

By A. J. SMALL, Iowa State Law Librarian, Des Moines, Iowa

Bar association and law society proceedings are, perhaps, the most sought of all legal literature by law libraries. They take high rank among the periodicals of the present day. Some of the world's best legal thoughts are contained therein, and the academic discussions, papers and addresses are of great importance in shaping and advancing legal science. Progress is being made through the efforts of the legal societies, and laws generally are becoming more uniform, application more direct, and enforcement more systematic and effective. Law societies are advocating and promoting legal reforms for the advancement of legal ethics and the benefit of society in general.

Fortunate, indeed, are the libraries which possess any considerable number of the proceedings of the various associations. Only within the past ten or twelve years has any great importance been placed upon them, but today, law libraries throughout the country are making every effort to possess all available copies. Generally, proceedings may be had for the asking, but each year the free list is becoming more restricted and the supply more limited. Two states, Virginia and Kentucky, have ceased to send free copies of proceedings outside of their state or membership, while others send only on exchange, principally to state libraries, and make a charge to all others. A few of the associations are generous and, upon request, send to the limit of their supply. Some secretaries complain, and justly so, of the many requests for free copies. As librarians, we should not expect associations, whether national, state or local, to supply the whole country with copies gratis, and it is asking too much of any association or group of lawyers to send them out gratuitously, except on exchange with other states. The cost is considerable to each association, ranging in some instances as high as \$2.00 per copy, whereas, the price of purchase would be but little to each library. Legal proceedings should be purchased as any other publication and we should welcome the day when they are placed on a reasonable commercial basis. From experience I know that much more time and energy is given to collecting them than the cost would be if they were sold at a reasonable price, and it will be better and to our advantage, economically and otherwise, to encourage a sale price. By the present method we frequently have to make several requests, and then, perhaps, receive notice that the edition is exhausted, with the result that there is a break in our set and the library deprived of the information contained in the proceedings. If a fair price is asked for the proceedings, the association publishing them would anticipate the needs and print enough copies to meet the demands of libraries. Standing orders could be placed with the secretary of the association or distributing agency, thus insuring quicker and more satisfactory service. By the purchase system every library would be assured a copy, while now it is a scramble as to whom gets those available. One secretary advised me that it was his purpose to print only a limited number, which would leave but a few copies after the membership had been supplied. Many libraries would thus be without the proceedings of that state. Bar and other legal associations have been exceedingly gen-

* Presented at the Annual Meeting of the American Association of Law Libraries at Toronto, Canada, in June, 1927.

erous but why longer impose upon their generosity? The American Law Libraries Association could not meet the requests for proceedings, such as we are making on bar associations generally.

Obtainment and availability of proceedings is essentially desirable. How to accomplish this and attain the best results has been a question for consideration. For some years we have been trying to make satisfactory arrangements whereby there might be established a central bureau of distribution for state bar association proceedings. A national bureau has been suggested, while others favor a state distributing center. The latter seems more desirable and is the only practicable solution, as each state association would no doubt prefer to send out its own proceedings rather than to send them to a distant state for distribution. The logical place for a central distributing bureau is the state library or state law library. At this time sixteen state institutions have assumed this distribution, Iowa being the first, I believe. During the past year four states have been added to the list, namely: Connecticut, Minnesota, Montana and Vermont. Such an arrangement is proving satisfactory and will soon become quite general, as several other secretaries have expressed a willingness to turn over their outside exchange list to some state institution for distribution. In Vermont, Washington and Wisconsin, the state law librarian is the secretary of the state bar association, and in a few other states distribution is being made through some public institution. So far as our interests are concerned, centralization is, in my opinion, the solution of the distribution problem, whether it be on the sale, gift or exchange basis. The publication of proceedings in journals, as hereinafter stated, will also help the question of distribution.

SEPARATE BAR PUBLICATIONS

At this time sixteen state associations have a separate publication as the official organ of the association, and the tendency is towards all associations issuing a journal or periodical of some kind. Like ourselves, other associations have found that annual meetings and reports are not sufficient to hold the interest of the members, and that frequent contact is necessary. These periodicals are highly desirable in law libraries. Some are quite pretentious and contain legal articles and notices of much interest to the bench and bar. All are worthy and creditable publications, keeping the membership in touch with the activities of the association. Like the proceedings, some of these separate publications may be had on application, while others have a fixed subscription price.

QUESTIONNAIRE

From a questionnaire sent out recently much valuable data and information relative to various bar association publications and exchanges has been obtained. For general purposes I have compiled and arranged the information obtained from these questionnaires in a way which I think will be most helpful to those who are interested in bar association material.

MEETINGS

Every state has a bar association which holds a regular meeting at least once every year, except Maine which holds its sessions biennially in the odd years.

Three state associations hold semi-annual sessions, namely, New Jersey, Ohio, and Pennsylvania, and each combines the proceedings of these semi-annual meetings in an annual publication.

Rhode Island holds three regular sessions in a year. Publication of proceedings ceased in 1914 but was resumed again in 1926.

PROCEEDINGS, HOW AND WHEN PUBLISHED

Nearly all the bar proceedings are published in separate volumes, but in nine states the proceedings are printed in their official journals. These states are as follows:

<i>State</i>	<i>Proceedings published</i>
Connecticut	in Bar Journal, July number
Indiana	in Law Journal, October issue
Massachusetts	in the Law Quarterly
Michigan	in Bar Journal, November issue
Minnesota	in Law Review, November issue
Nebraska	in Law Bulletin, July issue
North Dakota	in Bar Briefs, December number
Oregon	in Law Review, irregularly
Texas	in Law Review, October issue as a special number

PROCEEDINGS, PRICE PER VOLUME

All state bar associations make limited free distribution of proceedings, except Kentucky and Virginia, which have no free list outside of their own state. Several of the state associations quote prices to outside exchanges, namely: American Bar Association and New York, \$2.00; Maine, \$1.75; Georgia, Iowa, New Hampshire and Virginia, \$1.50; Kansas, Kentucky, North Carolina, Tennessee, Texas, Vermont and Wisconsin, \$1.00; Colorado, price based on cost.

PROCEEDINGS DISTRIBUTED BY SECRETARY OF STATE ASSOCIATIONS

The secretary of the state bar association distributes and sells the proceedings in the following states: Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

PROCEEDINGS DISTRIBUTED BY SECRETARY HOLDING OFFICIAL POSITION

Maine	clerk of probate court
North Carolina	legislative reference librarian
New Mexico	clerk of supreme court
Vermont	state librarian
Washington	state law librarian
Wisconsin	state librarian

PROCEEDINGS DISTRIBUTED BY STATE INSTITUTIONS OR DEPARTMENTS

Alabama	department of archives
Connecticut	state library

Illinois	librarian, supreme court
Iowa	state law library
Michigan	university law school
Minnesota	state library
Missouri	state library
Montana	state library
Nebraska	university law school
New Mexico	clerk of supreme court
New York	state law library
Oklahoma	state library
Rhode Island	state law library
Vermont	state library
Washington	state law library
Wisconsin	state library

OFFICIAL PUBLICATIONS

State bar associations which publish an official periodical are, California, Colorado, Connecticut, Illinois, Indiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oregon, Tennessee, Texas and West Virginia. These periodicals may be had as follows:

California	free on request to members
Colorado'	free on request
Connecticut	free on request
Illinois	free on request
Indiana	subscription, \$3.00 per year
Massachusetts	free on request
Michigan	subscription, \$4.00 per year
Minnesota	subscription, \$3.00 per year
Missouri	free on request
Nebraska	free on request
North Dakota	free on request
Ohio	subscription, \$2.00 per year
Oregon	subscription, \$3.00 per year
Tennessee	subscription, fifty cents per year
Texas	subscription, \$4.00 per year
West Virginia	subscription, \$2.00 per year

NATIONAL ASSOCIATION PUBLICATIONS

The American Bar Association issues in addition to its annual proceedings, a journal, entitled "American Bar Association Journal," now in the thirteenth volume. Subscription price, \$3.00 per year.

The Canadian Bar Association publishes an official periodical, entitled "Canadian Bar Review," now in its fifth volume. Subscription price, \$5.00 per year.

The American Law Institute publishes proceedings and a restatement of the law. These may be had from the secretary without cost.

The National Conference of Commissioners of Uniform Laws publishes annual proceedings which may be had without cost from the secretary.

The Association of American Law Schools publishes an annual "Handbook" which may be had upon application.

RESUMÉ OF STATE BAR PUBLICATIONS

California—The California Bar Association sponsors a unique publication in the way of a legal monthly, which is distributed free to all members of the

bar in that state. It is called "The State Bar Journal" and is the official organ of the state association. The Journal is privately published by the Record Printing and Publishing Co., of San Francisco. The first issue appeared in August, 1926.

The Los Angeles Bar Association also publishes a thirty-two page "Bulletin." It carries case notes and items of interest to the Los Angeles Bar Association, which has become an aggressive organization.

Connecticut—The State Bar Association of Connecticut began the publication of a quarterly, January, 1927, entitled "Connecticut Bar Journal." It is the official organ of the association and is published under direction of a committee of five, of which Judge John M. Comley of Bridgeport is chairman. The July number of each year will contain the full proceedings of the association. This is an exceptionally good exclusive bar periodical. No subscription price is indicated; distribution is made by the State Librarian.

Colorado—The Colorado Bar Association issues an occasional periodical, entitled "The Jealous Mistress." It is an interesting publication and may be had upon request.

Illinois—The State Bar Association of Illinois began the publication of a four page, "Quarterly Bulletin," 8½ x 11 inches, September 4, 1912, which is now in its fifteenth year. It is edited by the secretary and is devoted largely to legal news items and short articles concerning the activities of the association. Distribution free upon application.

Indiana—The Indiana State Bar Association began the publication of a monthly periodical in June, 1925, entitled "The Indiana Law Journal." This continued but a short time, only three numbers being published, when a re-organization was made and a new one appeared January, 1926, under title of "Indiana Law Journal," issued monthly, October to June inclusive. Arrangements were made for the state university law school to take over the editorial supervision but the Journal was to continue as the official organ of the state bar association. The subscription price is \$3.00 per year. Annual proceedings are published separately.

Massachusetts—The Massachusetts Bar Association began the publication of a quarterly, entitled "Massachusetts Law Quarterly," in November, 1915. It is now in its twelfth volume. Supplements are also issued occasionally. The proceedings of the state bar association are published in the current numbers. Free distribution to membership and limited distribution to libraries.

Michigan—Beginning with November, 1921, the Michigan State Bar Association began the publication of a periodical, published monthly from November to June, entitled "Michigan State Bar Journal." The proceedings are published in each November issue. Arrangements were made with the Michigan Law Review, published by the Michigan Law School, where a complete reprint was to be made in each issue of the Journal. (See Journal, vol. 1:1.) Each member of the bar association receives a copy without charge. General subscription is \$4.00.

Minnesota—"The Minnesota Law Review," a monthly periodical (December to June), edited and published by the faculty and students of the state university law school, was by agreement adopted as the official journal of the state bar association, beginning with volume 7, November, 1922. The November num-

ber of each year contains the annual proceedings of the State Bar Association as a supplemental number. (See Proceedings 1922:94.) Subscription price \$3.00 per year.

Missouri—Beginning with the University Bulletin Law Series, No. 17, November, 1919, The Missouri State Bar Association made arrangements with the University of Missouri Law School that a section of the Law Bulletin be set apart as the Missouri Bar Bulletin, and be given over to items of interest to the state bar association; that part to be known as the bar association's official publication. Copies may be had upon application.

Nebraska—The Nebraska Law Bulletin, published quarterly by the College of Law of the University of Nebraska at Lincoln, commencing July, 1922, became the official organ of the Nebraska Bar Association. A part of the Law Bulletin has been designated the Bar Association Section. The annual proceedings of the association have been published in each July number beginning with 1923. Additional copies of the July number are run off and bound separately, with different title page. The Bulletin contains legal articles and reviews of about 100 pages. Free on application.

North Dakota—The State Bar Association began the publication of a monthly eight page periodical, entitled "Law Briefs," beginning with December, 1924. This continued until January, 1927, when the state bar association made tentative cooperative arrangements with the university law school at Bismarck whereby the monthly issues are to be jointly published, and each quarterly number is to contain more pages and much additional matter, the name being changed to "Bar Briefs and Dakota Law Review." The state bar proceedings are printed in the December number beginning with 1926. Distribution without cost.

Ohio—The Ohio State Bar Association, in 1924, began the publication of a four page weekly bulletin, 8½ x 11 inches, the first number appearing as the "Bar Association Bulletin" and later being changed to "Ohio Bar Association Bulletin." It is now in its third volume. General subscription price \$4.00.

Oregon—"The Oregon Law Review," a quarterly publication issued by the University of Oregon Law School at Eugene, beginning in 1921 and now in its sixth volume, is the official journal of the Oregon Bar Association. At irregular intervals fragmentary proceedings of the association are published, along with other legal matter. Subscription price \$3.00 per year.

Tennessee—The Tennessee State Bar Association publishes a four page monthly newspaper, 10½ x 14 inches, entitled "The Bar Association of Tennessee," now in its fifth volume, and which is devoted to items and short articles of interest to the bench and bar of that state. The bar association proceedings are published separately. Subscription price 50 cents a year.

Texas—"The Law Review," beginning December, 1922, is a quarterly journal issued by the law school of the University of Texas. It has been the semi-official journal of the Texas Bar Association commencing with 1923. The proceedings of the association are published separately in October as a special number of the Review. (See Foreword of Proceedings, 1923.) Subscription price, \$4.00.

West Virginia—The Bar Association and the West Virginia Law Quarterly (November-June), through arrangements with the West Virginia University College of Law, became the joint official journal of the Law School and

State Bar Association, beginning with November, 1917, under the title of "West Virginia Law Quarterly and the Bar." (See vol. 25, page 57).

The State Bar Association had previously issued a periodical, published monthly (October-May) and bi-monthly (June-September), under title of "The Bar," beginning in 1894. The last number was vol. 24, June-July, 1917, (erroneously numbered vol. 29) when it merged with the West Virginia Law Quarterly.

It is now issued quarterly (December-June) in each year.

The West Virginia State Bar Association is entitled to the credit of having the first exclusive bar journal.

General subscription \$2.00. Annual proceedings are separately published.

OUTLINE OF MASSACHUSETTS STATUTE LAW PUBLICATIONS *

By HOWARD L. STEBBINS, Librarian, Social Law Library, Boston, Mass.

The history of Massachusetts statute law, just completing its third century, is necessarily long and complex. In this article we shall attempt an outline to serve as a birdseye view of the law-making of the Old Bay State, and as a starting point for those researchers who wish to go deeper into various phases of the subject.

Massachusetts statute law-making divides itself into three periods. The first, during which Plymouth Colony and Massachusetts Bay Colony had separate governments and laws, extends to the overthrow of the colonial regime by Governor Andros in 1686. The second period extends from the granting of the Province charter, in 1691, to the adoption of the State constitution in 1780. While statute law making from 1780 to the present time forms one unit, the period may be conveniently broken into two parts at about 1836, at which time the first genuine revision of the state laws took effect. At this time, too, there came to a head a struggle of profound significance—one that all but placed Massachusetts in the vanguard of the code states, instead of leaving it a stronghold of the common law. In this article we shall consider in some detail the colonial period, pass rather more hastily the Province and early State activities, and lay stress on the progress of revision from 1836 to date with some word of the present situation.

PLYMOUTH COLONY LAWS

Of the laws of Plymouth Colony up to its union with Massachusetts Bay in 1691 there is comparatively little to be said. Our chief source of information is the following: "The Compact with the Charter and Laws of the Colony of New Plymouth: together with the Charter of the Council at Plymouth, and an Appendix, containing the Articles of Confederation of the United Colonies of New England and other valuable Documents, published agreeably to a Resolve passed April 5, 1836, under the Supervision of William Brigham. Boston, 1836." A large portion of this book was taken from the manuscript records in the Plymouth Court House—records which later were printed by order of the State. "The work is divided into three parts," says the preliminary advertisement, "the

* Presented at the Annual Meeting of the American Association of Law Libraries at Toronto, Canada, in June, 1927.

first containing all the laws from the settlement of the Colony to 1658; the second all the laws found in the records from that period to its union with Massachusetts; and the third the general revised laws, which were adopted and printed in 1671, together with portions of the edition of the laws published in 1685."

Besides the two revisions just mentioned others were made in 1636 and 1658. Prior to 1636 few laws had been made and still fewer committed to record. The Governor acted as Secretary and law-making was rather informal. By 1658 enactments were scattered promiscuously in the records and it was necessary to collect, harmonize and amend them. The third revision, in 1671, was not, like the prior one, a mere collection, but a complete digest of the laws then in force, as was the fourth and last revision in 1685. The Governor of the Colony nearly always headed the Committee to revise the laws, sometimes aided by his assistants, and sometimes by a body specially appointed.

The records upon which Mr. Brigham based his work reposed in the Registry of Deeds at Plymouth until 1818, when the Legislature took cognizance of them. They were examined, and being found in great confusion and somewhat defaced, were rearranged, rebound and provided with indexes. Four decades later they were printed and published by the State as "Records of the Colony of New Plymouth in New England. Boston, 1855-61." 12 vols. in 10. Besides the laws this set contains judicial proceedings, records of wills and deeds and a large number of miscellaneous records.

So much for the laws of Plymouth Colony.

MASSACHUSETTS BAY COLONY

Of Massachusetts Bay Colony, centered about Boston, there is much more material extant. For five years after the settlement, in 1630, legislative and judicial pronouncements were in the hands of the same bodies. Four "Great and Generall Courts" were held annually. These were assemblies of all the freemen, presided over by the Governor. There was also a monthly court of the Governor and his assistants, called "Court of Assistants." The records of this Court of Assistants, 1630-1644, and 1673-1692, have been published by the County of Suffolk. Further manuscript has been prepared but there is no immediate prospect of printing.

The General Court, besides having legislative and executive functions, was a court of law and equity—the highest court in the Colony. Even today our Legislature, by constitutional dictum, bears the confusing title of "General Court of Massachusetts." Frothingham in his "Constitution and Government of Massachusetts" relates that as Dr. Everett was about to deliver an historical address at the Old South Church, an usher, a college graduate, asked him for whom certain seats were reserved, and when the Doctor told him they were for the General Court, he said he had supposed they were for the Legislature.

BODY OF LIBERTIES, 1641

The very first revision of the Massachusetts Bay laws was not in charge of the legislative, judicial, or executive branches, but of the clergy. In 1639 Rev. Nathaniel Ward of Ipswich, and Rev. John Cotton were appointed to frame a body of laws. "The two models," Governor Winthrop informs us, in his

Journal, "were digested with divers alterations and additions, and abbreviated and sent to every town to be considered of, first by the magistrates and elders, and then to be published by the constables to all the people, that if any man should think fit, that anything herein ought to be altered, he might acquaint some of the deputies therewith against the next court." Probably never again did the individual voter have so direct an approach to a Commission on Revision.

A draft was finally adopted in October 1641, called the Body of Liberties. It was probably not printed. Two centuries later, in 1843, a manuscript copy was discovered in the Boston Athenaeum and was published in a volume of Collections of the Massachusetts Historical Society. It has been included verbatim in "The Colonial Laws of Massachusetts" printed in 1889. There is also a spurious pamphlet published in London in 1641 which is possibly John Cotton's proposed draft.

"The Capital Laws of the Massachusetts Bay, with the Freeman's Oath" were ordered to be printed on the eighteenth of the third month, 1642, and there is nearly contemporary authority for the statement that they were printed, but no copy is known of.

BOOK OF THE GENERAL LAWS, 1648

Now follows a very rare publication of which it was long supposed that not a single copy remained. This is the "Book of the General Lawes and Liberties of the Massachusetts," the so-called code of 1648, sometimes spoken of as "Book of Lawes of the First Impression." It is supposed to be the earliest volume of laws printed in English America, but so completely did it disappear that not only was its title long unknown but there was even grave doubt whether its date were 1648 or 1649. It was known to consist of about fifty-six pages or seven octavo sheets and the claim was made that by a process of elimination resulting from a study of the latest prior and the first following compilations, it could be reconstructed almost entirely.

Parts of this code of laws were transcribed in a book published in London in 1650 called, "Jewes in America, or Probabilities That the Americans Are of That Race," but it was not until 1906 that a complete copy was found. It turned up in an English garret and is now in the collection of the late Henry E. Huntington. Photostatic copies are in several libraries. Among its "Thou shalt not's" are measures designed to restrain the Indians from profaning the Sabbath, but if a book censorship for Boston and vicinity was in contemplation, it was not yet in type.

COLONIAL LAWS, 1660 AND 1672

In a dozen years need of revision was again felt, and in 1660 and again in 1672 the laws were recompiled. These two editions are commonly available in the following reprints:

"The Colonial Laws of Massachusetts reprinted from the Edition of 1660, with the Supplements to 1672; containing also the Body of Liberties of 1641, published by Order of the City Council of Boston." Boston, 1889.

"The Colonial Laws of Massachusetts, reprinted from the Edition of 1672, with the supplements through 1686, published by Order of the City Council of Boston." Boston, 1887.

The original statute book of 1660 is extant in various libraries. It embodied all active general legislation. The 1672 collection was reprinted from an excellent copy in the Boston Athenaeum. The reprint follows the supplementary enactments to the coming of Governor Andros. Proposed revisions in 1681 and 1685 had not gone through and Massachusetts law making went down into the dark ages. These, fortunately, lasted only until the fall of the Andros government a very few years later.

ANCIENT CHARTERS AND LAWS, 1814

A volume much used for this early period is the following: "The Charters and General Laws of the Colony and Province of Massachusetts Bay, carefully collected from the Public Records and ancient Printed Books to which is added an Appendix tending to explain the Spirit, Progress and History of the Jurisprudence of the State; especially in a Moral and Political View. Published by Order of the General Court." Boston, 1814. This is always referred to as "Ancient Charters and Laws" and is much consulted. The material was collected by a committee appointed by the Legislature in 1812. They were charged to add any documents necessary to give a clear view of the jurisprudence of the State. They did not reprint either the 1660 or 1672 revisions complete, but made a new compilation with a new arrangement of chapters and inserted such general laws as they considered to have remained a material part of the colonial system. Their selections are by no means complete and are considered to have been not always wise.

RECORDS OF MASSACHUSETTS BAY, 1628-86

Corresponding to the Plymouth Colony Records before spoken of is the following set: "Records of the Governor and Company of the Massachusetts Bay in New England. Printed by Order of the Legislature. Boston, 1853-54." 5 vols. in 6. The period covered is 1628-86 and the documents are in approximate chronological order. These records constitute the original source books for matters legislative, judicial and executive. Session laws as we understand them did not exist until 1692.

PROVINCE PERIOD

From the granting of the Province Charter in 1691 to the framing of the state constitution in 1780 constitutes our second period of statute law-making. Of the welter of permanent and general laws, temporary and special laws, omitted temporary laws, resolves, etc. we shall have little to say in the present article. More time for study and research, more time for reading at this meeting, and more space in the *Law Library Journal* would be required for the production of any adequate description of this confused mass of legislation. From the fact that Charles J. Babbitt in his "Hand List of American Statute Law" required eighteen pages to list the session laws of this period alone may be seen the complexity of the subject. The Legislature met three or four times a year; figures compiled in 1912 gave Massachusetts up to that time 628 legislative sessions, a number approached by no other state save Rhode Island with 825.

In a paper before this Association in 1912—a meeting held, like this, in Canada—Mr. Babbitt described some of the difficulties of cataloguing these early Massachusetts laws. In 5 *Law Library Journal* 25-35, under the caption "Stum-

bling Blocks and Pitfalls in Session Laws" you will find his account of some peculiarities of the legislation in this and other states. He describes one of the most troublesome conditions—that of printing the revisions with blank leaves at the end. These were afterwards cut down to stubs and the later session laws were inserted at will, the pagination being continued in pen and ink. As a result, individual copies of these revisions end with widely varying pages and no library can cite its own copy with any confidence that another library's book will be similar. Perhaps this was a forerunner of the "continuous consolidation of the general laws," of which we shall have a word to say later.

Revised editions, usually called "Charter, Acts and Laws" were printed in Boston in 1699, 1714, 1726, 1742 and 1759. There is also a London edition of 1724. Editions of the "Temporary Acts and Laws" were printed in 1742, 1755 and 1763. For the best listing of these compilations with their endless ramifications, and their more or less amputated appendices the inquirer is referred to Mr. Babbitt's "Hand List of American Statute Law," pages 186-204. For an official reprint of the acts and resolves from 1692 to 1780 one uses: "The Acts and Resolves, Public and Private, of the Province of the Massachusetts Bay: to which are prefixed the Charters of the Province, With Historical and Explanatory Notes, and an Appendix. Published under Chapter 87 of the Resolves of the General Court of the Commonwealth for the year 1867. Boston, 1869-1922." 21 vols.

EARLY STATE PERIOD

Statute law publication from 1780, when the state constitution took effect, up to the present time has been continuous and it is only for convenience that in this article we divide it into two periods at 1836. Prior to that time the revisions had no noteworthy significance, and were the result merely of the continually recurring demand that the laws already on the books be recompiled and made usable. Some editions were published by order of the State and some were brought out by individuals. As the body of laws in force grew in bulk these compilations came to consist of two, three, or four volumes, and often were followed a few years later by supplements. A list may be consulted at pages 231-234 of Babbitt's "Hand List of American Statute Law." Additional data may be secured in "A Chronological Sketch of the Legislation from 1752 to 1784 on the Subject of Printing the Acts and Resolves of the Province of Massachusetts Bay." n.p. 1889. The session laws are listed on pages 204-226 of Babbitt's book, in even greater detail than those of the Province Period. The Acts and Resolves from 1780 to 1806 were reprinted in convenient form under Chapter 104 of the Resolves of 1889. Those from 1806 to 1839 have not been reprinted and are becoming increasingly rare. A detailed description of the pagination and contents of these volumes is given in 6 *Green Bag* 328-330. Those from 1839 on we shall consider later.

CODIFICATION

In a discussion before the American Bar Association in 1886 David Dudley Field said, "Much of the agitation we have had about codes had its origin in Massachusetts." This may come as a surprise to us all, so accustomed are we to considering Massachusetts a stronghold of the common law. Nevertheless,

juridical and lay circles, a century ago, were rife with discussion of the advantages and disadvantages of codification. With the Revised Statutes of 1836 the situation came to a head and Massachusetts all but went over to the front ranks of the code states.

Not for fifty-five years, not since the state government began to function had there been a real honest-to-goodness overhauling of the statute law. The previous compilations became more and more inadequate to handle the situation and the mass of law threatened to become unworkable. The decision to completely revise and orient the statutes let down the bars to the advocates of a code. The idea of a fixed and permanent body of law had been greatly fostered by the success of the Code Napoleon. Justinian, and even old Lycurgus himself, were dragged out as models. The codified New York Revised Statutes of 1829 added fuel to the flames. Portions of the bench and bar and of the laity alike were carried away by the idea of a guide to law, morals and conduct, as unailing as the two tables of stone which Moses brought down to the Children of Israel.

Not that the opponents of this plan were not just as assertive. By one it was claimed that the whole agitation had started from the republication, in this country, of the entire Russian code in a pamphlet the size of a spelling book, whence men were amazed at the contrast with our own bulky, scattered and obscure laws and demanded a complete statement of principles in simple form. In 1830 Lemuel Shaw was appointed Chief Justice of the Supreme Judicial Court. It is said that when Daniel Webster went to urge him, in a cloud of tobacco smoke, to accept the appointment, one argument he advanced was that Shaw was so skilled in expounding the principles of the common law that his opinions would go a long way toward stemming the demand for codification.

REVISED STATUTES, 1836

In the year 1832 three commissioners, with Charles Jackson as Chairman, were appointed "to revise, collate and arrange . . . the General Statutes . . . under appropriate chapters, titles and sections, and in all respects to execute and complete said revision in such manner as, in their opinion, will render the said General Laws most concise, plain and intelligible." Charles Jackson was a prime mover in the clarification and reform of Massachusetts law in the second quarter of the century, and parts of the law still bear the impress of his work. He had resigned from the Supreme Judicial Court because of ill health; to the work of law revision he brought scholarly attainments and a wide interest.

Under the resolve just quoted the Commissioners decided that they had authority to throw the statute law into the form of a code. They partially followed this idea by patterning their work more or less on the New York Revised Statutes of 1829. They recognized the differences in local conditions, however, and made no attempt to shape Massachusetts law in an alien mold when it showed a divergence in principle from that of the Empire State. In patterning their work on the chief example of codification then extant they conceived that they were aiding the plan of bringing into a fixed code form the law of all the states, at least in general principles.

This plan they followed so far as the already existing statute law was concerned. But upon the question of adding and incorporating the common law

conservation won. A realization of the flexibility of the common law in a new and rapidly growing country prevailed upon them to stay their hand. Possibly this latter decision marks the turning point in a program affecting the entire United States. Certain it is that the Revised Statutes of 1836 represent the high-water mark of codification in Massachusetts, and that from that point on we hear less and less of the merits of a code.

During the following few years attention was focused on the codification of various specific subjects. The chief fruit of this was our penal code of 1844, which again was largely the work of Charles Jackson. Only seven years later a commission reported decisively against codification in general. Thus the battle shifted to other states with David Dudley Field and James C. Carter the leaders of the two camps.

In the adoption of recent piecemeal codification—the various “Uniform laws”—Massachusetts has been very receptive. Last year the Bay State had adopted sixteen of these laws, a number exceeded only by Wisconsin, Tennessee and Louisiana. This is a rather remarkable showing, considering the long history of Massachusetts legislation, and the lengthy span during which local conditions have impressed themselves upon the law.

To return to the Revised Statutes of 1836. After two years study, the commission reported their proposed draft. This was carefully gone over by a large committee of the Legislature, who reported 170 pages of amendments. These documents were revised at a special session of the Legislature and finally passed as one act constituting the Revised Statutes. The Commissioners and the law makers had done a thorough and careful piece of work, which met the general approval of the bench and bar. “The people were at last put into possession of a revised code of statute law in a cheap form,” says the Law Reporter of July, 1860, “conveniently arranged, and to a reasonable extent, simple and intelligible in the phraseology and meaning of its provisions. The entire volume contained 1007 pages, including 173 of index.”

Not that the approbation was universal. Two years later a new member of the Legislature, just as soon as he was qualified, before he had even taken his seat, proposed an order repealing or amending a dozen or so provisions of the Revised Statutes, and gave notice that he had some thirty more in reserve.

Constant addition of new legislative provisions made necessary a thick supplement in 1853 and another in 1859. Continual tinkering and amendment made another revision a necessity in the course of twenty years after the Revised Statutes took effect and this twenty year interval between revisions has been approximately maintained ever since.

GENERAL STATUTES, 1860

In 1854 the preliminary steps were taken; a year later a commission was appointed and began its labors. The herculean task was completed and the report made in three years and nine months, as compared with two years and ten months used by Charles Jackson's earlier commission.

For reasons not very evident to later writers the relations of the commissioners and the legislative committee were very bitter. Preliminary remarks of the committee chairman made it impossible for the commissioners and committee to sit together. The commissioners were forced, moreover, to defend them-

selves from hostile criticism launched against them in the press and in the pamphlet material, which was then the fashion. The legislative committee made more than 3000 amendments to the commissioners' report. The Legislature did not dare pass them and finally called in the commissioners themselves to revise the work of its own committee.

All this bitterness spun out the time between the passage of the initial resolve and actual publication to five years and three months, and raised the total cost to \$196,529.97. The commissioners apparently did their work well and their revision endured for the normal period of twenty years. Supplements were published in 1872, and 1881. In 1873 a "second edition" appeared with references to subsequent legislation and judicial decisions. This revision of 1860 is called "General Statutes." Each of our revisions of the last hundred years has a different nomenclature and it is correct to cite them without date.

PUBLIC STATUTES, 1882

The framing of the Public Statutes of 1882 was accomplished in sharp and pleasant contrast to the conditions we have just been considering. The resolve under which work was instituted was exactly like that of twenty years before except for the singular provision that the report of the commissioners was to be accepted or rejected without amendment. This is thought to be an aftermath of Governor Butler's furor for economy the previous year rather than in memory of prior alterations. This provision was not binding on the following Legislature and it staved off neither a legislative committee, nor an extra session. There was, however, a disposition on every side to co-operate. The total time consumed was cut to one year and eleven months and the entire cost was less than \$95,000.

Uriel H. Crocker was one of the Commissioners. The fact that his printed "Notes on the General Statutes" had been kept up to date in manuscript greatly aided the three men in determining what acts from 1860 to 1880 must be added and what portions of the General Statutes had been repealed. Since their work was intended to stand or fall in toto before the Legislature, they felt constrained to consolidate the law merely, and not to change its substance. When, after all, a legislative committee was appointed, it made not more than twenty amendments, and these in full harmony with the commissioners who sat with the committee to advise and explain their work. On the committee were put all the strong men of both branches of the Legislature and all the fluent talkers and the expectation that their recommendations would go through with little difficulty was borne out by the results and the "Public Statutes" were ready for distribution on March 1, 1882—only one month after they took effect.

A supplement was published containing the legislation of 1882-1888, and if ever there was an authentic case of tail wagging dog, this is it. The Public Statutes weigh $5\frac{1}{2}$ lbs., the supplement $7\frac{3}{4}$ lbs. Most of this great bulk is due to a most extraordinary index, which contains more matter than the laws of which it is an index. "A concordance," Uriel H. Crocker called it in reviewing the book for the Boston Post of February 5, 1892 under the caption "A

Weighty Work." To his disgust he found a 28 line statute, "An Act Concerning the Keeping of Dogs known as Blood-hounds," provided with 99 lines of indexing under the following heads:

Blood-hounds	Mayor
Boar-hounds	Muzzles
City Treasurer	Notice
Constables	Police Officers
County Treasurer	Selectmen
Cuban Blood-hounds	Siberian Blood-hounds
Dogs	Suffolk County
Forfeitures	Town Treasurer
German Mastiffs	Ulmer Dogs
Great Danes	Writing

"Strangely enough," he says, "we do not find any reference in the index to the grand consummation of this dog matter, namely, the *killing* of the dog, although under that important word we do find a reference to the fact that for killing a seal a bounty of \$1.00 is to be paid."

A still larger supplement for 1889-1895 was published, but with a more suitable index. There is also an edition of the Public Statutes with a combined index to the revision and the session laws of 1882-1887. This index was also made with some moderation. Nevertheless, it swells the volume so much that one of the Social Law Library trustees always speaks of the original edition as "the convenient sized book."

REVISED LAWS, 1902

The Revised Laws of 1902 were framed in the manner usual in this state. By a resolve of the Legislature in 1896 three men were appointed by the Governor to serve as Commissioners and report a proposed draft. This resolve was similar in terminology to those of prior date, and the peculiar provision of 1880 that the report must be accepted or rejected without amendment was dropped. Consequently, the Commission assumed it to be the desire of the Legislature for them to suggest mistakes, omissions, inconsistencies and imperfections and to omit redundant and obsolete enactments. Their report was filed in April, 1901. It contained 656 pages more than the Public Statutes, but into these was crowded the gist of 6,000 pages of annual legislation. By direction of the Legislature a supplementary report was also filed incorporating the legislation of 1901.

A special recess committee of thirty-six members of the House and fifteen of the Senate took over the work, made certain amendments, and reported in the Fall a new draft. Both of the drafts were printed, also the detailed Journal of the Committee. At an extra session of the Legislature a few amendments were adopted and the Revised Laws were enacted to take effect January 1, 1902. This is the normal procedure in revising the laws of Massachusetts. For the first time the bulky single volume was dispensed with and the Revised Laws were published in three volumes of which the third was an index.

GENERAL LAWS, 1921

A thick supplement to the Revised Laws was published in 1908; for thirteen years thereafter one had to find the statute law by perusing the annual session laws or "blue books," running sometimes to over 1700 pages. Cumulative tables

of amendments and repeals in each "blue book" somewhat shortened the task, but the continually growing difficulty of finding the law made another revision inevitable. On April 6, 1916 the initial resolve was approved; not until January 4, 1922 were the first copies of the General Laws delivered. Six years of time and half a million dollars of the taxpayers' money had been required to catch up the threads of twenty years and weave them once more into a pattern that was unified and complete.

Besides the complete draft of the General Laws this Commission made a preliminary report and two supplementary reports. Notes in these special reports discuss briefly the proposed changes and partially supply the demand for the reasons which prompted the Commissioners to act. A complete statement of the reasons for all important changes would be a boon in answering the constantly recurring question as to *why* a particular provision was revised. Probably such a statement would be impracticable from three men working alone or informally in conference. Possibly the situation is cognate to that in which the appellate judge found himself when he asked his brethren to join him in affirming without opinion the judgment of the court below, since it would be very difficult to explain why it ought to be affirmed.

The General Laws, like the Revised Laws of 1902, were published in three volumes, one of which is an index. Even thus they were quite thick and the Social Law Library secured its copies in sheets, binding them in five volumes, an experiment that has worked out very well. Besides the main body of the law, there are tables showing completely the disposition of the Revised Laws, certain prior laws not thereby repealed, and all statutes subsequent to the Revised Laws. Marginal notes indicate the legislative history of each section, and all citations to the Massachusetts Reports.

A peculiar feature is that *two* current constitutions of Massachusetts are included. Our constitution of 1780, which, by the way, is the oldest under which any of the states is governed, was "rearranged" by the Constitutional Convention of 1917-1919. Twice the matter has been to the Supreme Judicial Court and twice the Court has declared that our fundamental law is still the original constitution of 1780 with its various amendments, however useful the "rearrangement" of 1919 may be. After much delay, it was decided to publish the General Laws with both forms of the constitution, first the original, then the "rearrangement."

The long delay and heavy expenses of preparing the General Laws focussed attention on a new plan for "continuous consolidation" of the laws. As carried out this plan means that every law of general and permanent interest since 1921 has been enacted as an amendment of some chapter or section of the General Laws. In a set of interleaved books in the office of the Secretary of the Commonwealth these amendments are inserted each year and the books are in every particular brought up to date. Thus there is always available this one copy of the law of Massachusetts in complete and harmonized form. There remain in stock about 1000 copies of the General Laws. It is expected that when this collection is pretty well depleted a new edition can be brought out from the official copy in the Secretary's office. The Secretary confidently believes he informed the writer, a few days ago, that the arduous labor and heavy expense incurred by former revisions can thus be done away with.

There has been also a proposition to issue a loose-leaf edition of the General Laws, but the demand never warranted its preparation. The current "slip laws" are, however, issued on sheets the size of the pages of the General Laws. It is thus possible for any individual to have his General Laws taken apart and prepared for loose-leaf binders in which may be inserted the new enactments in their proper places. Along with these attempts to keep up to date a special commission has made a study of obsolete provisions in the General Laws and has recommended the repeal of some.

CUMULATIVE STATUTES, 1927

Last Winter, there came on the market "Massachusetts Cumulative Statutes, 1927; containing all General Laws from 1921 to 1926, inclusive, with full Annotations. Charlottesville, Va., 1926." This is published by the Michie Company, which has done considerable statute work in the Southern States. It is the first unofficial edition of a Massachusetts statute book for many years. It represents an attempt to make a consolidated supplement by which changes in and additions to the General Laws may be speedily found. There are numerous editorial notes and occasional citations to the Massachusetts reports. It contains numerous typographical errors; for instance, the State Library is given \$1,000 to *repair* a card index of legislation. On the whole, it is a useful proposition. As to whether the Michie Company will follow this supplement with a complete compilation of the laws up to date, as they have done in North Carolina and Florida, there is no information at present.

Another useful book is Crocker's "Notes on the General Laws." It cannot be called a statute book since it does not quote the text, but annotates it section by section with copious notes. Earlier editions were published to accompany the General Statutes, the Public Statutes and the Revised Laws.

ACTS AND RESOLVES

These revisions of 1836, 1860, 1882, 1902 and 1921 have for their sources, of course, the long series of annual laws. Publication of these substantially in their present form dates from 1839. The annual volumes, technically called Acts and Resolves, are usually spoken of as "blue books" from the blue board covers with cloth backs in which they have for many years been bound. In the last half dozen years there has been a diminution of the excessive size to which they had been running, marking a welcome decrease in the amount of new legislation going on the books.

A legislative committee made a serious study of the problem in 1914 and offered many constructive recommendations. Their report is House Document No. 280 of 1915. One of their chief accomplishments was the adding of permanent draftsmen to various committees in a desperate attempt to prevent the helter skelter throwing together of legislation without regard to its effect on existing statutes. The committee's efforts bore fruit in a somewhat diminished output of laws and never again has the session law volume approached the size of that of 1913. Biennial elections have now obtained for nearly a decade, but advocates of biennial sessions have made little headway.

We have been speaking throughout this article of Acts and Resolves. Frothingham, in his *Constitution and Government of Massachusetts*, defines a "resolve"

as differing from an "act" in that it is of a temporary nature and does not provide for lasting legislation. Resolves initiating revisions of the laws which we have several times mentioned, although important, are of a temporary nature. In fact, "Resolve" is synonymous with "Resolution." The line of demarcation is by no means well defined, and matter is sometimes changed during consideration from act to resolve, or vice versa.

Up to 1919 there were also "general" and "special" acts between which the distinction was still more hazy. These were published together except for the years 1915 to 1919, in which the special acts occupied separate volumes. There is also a series of twenty-one volumes containing the special acts from 1780 to 1911. After 1919 the distinction between general and special acts is given up and we have merely acts and resolves.

The form of publication of the session laws at present is: first, the slip laws, which come in small consignments every two or three weeks; second, the temporary pamphlet edition, which appears about August, with alphabetical index; third, the permanent volume or "blue book," which arrives about October with index and cumulative tables showing all changes in the General Laws up to date. The 1926 volume omits a table which has been heretofore included, showing changes in the annual laws since 1921. As all permanent laws are now passed as amendments to the General Laws, this latter table has been dropped as unnecessary.

With a somewhat decreased number of new laws going on the books, with these laws harmonized with older material, and with the latest revision kept painstakingly up to date, Massachusetts never had brighter prospects for making her statute law a living and vital force in the struggles of her citizens for life, liberty and the pursuit of happiness.

LIST OF AUTHORITIES CONSULTED

In Addition to the Statutes.

- Babbitt, Charles J. Stumbling blocks and pitfalls in session laws. 5 *Law Library Journal*, 25-35.
- (A) Chronological sketch of the legislation from 1752 to 1884 on the subject of printing the Acts and Resolves of the Province of Massachusetts Bay. 47p. n.p., 1889.
- Crocker, Uriel H. A forgotten analysis of a forgotten index: a warning to future revision commissioners. 1 *Massachusetts Law Quarterly* 158-160 (Feb. 1916)
- Dorman, William E. The taking effect of statutes and resolves as affected by the initiative and referendum amendment. 4 *Massachusetts Law Quarterly* 152-156.
- Fox, Jabez. The comparative history of the general revisions of the statutes of Massachusetts in 1882 and 1860. 1 *Massachusetts Law Quarterly* 141-149 (Feb. 1916)
- Frothingham, Louis A. A brief history of the constitution and government of Massachusetts. 154p. Boston, 1925.
- (The) General Statutes of Massachusetts. 23 *Monthly Law Reporter* 129-138.
- Grinnell, Frank W. The immediate need of permanent legislative draftsmen to assist committees before bills are reported and to consolidate the laws annually. 5 *Massachusetts Law Quarterly* 81-85
- Grinnell, Frank W. Loose-leaf General Laws. 7 *Massachusetts Law Quarterly* 55 (May 1922)

- Grinnell, Frank W. Some forgotten Massachusetts history about codification and its relation to current legislative and judicial problems. 1 *Massachusetts Law Quarterly* 319-339.
- Grinnell, Frank W. Why not a loose-leaf edition of the General Laws with annual new pages—a suggestion for convenience while the type is still standing. 7 *Massachusetts Law Quarterly* 146. (Feb. 1922)
- Massachusetts State Library. Hand-list of legislative sessions and session laws, statutory revisions, compilations, codes, etc., prepared by Charles J. Babbitt. 634p. Boston, 1912.
- Moore, George H. Memoranda concerning the Massachusetts laws of 1648. 16p. New York, 1889.
- National Conference of Commissioners on Uniform State Laws. Handbook and proceedings, 1926. 728p.
- Philips, Thomas L. Courts of Justice in the Province of Massachusetts Bay under the first charter, 1630-1684. 34 *American Law Review* 566-572.
- Report of the Joint Special Committee on Legislative Procedure, January, 1915. 107p. (House Document, 1915, No. 280)
- Report of the Special Commission on Obsolete Laws, December, 1926. 36p. (Senate Document, 1927, No. 4)
- Revised Statutes of Massachusetts. 15 *American Jurist* 294-321.
- Revision of the Laws in Massachusetts. 13 *American Jurist* 344-378.
- Rosenthal, James M. Massachusetts Acts and Resolves declared unconstitutional by the Supreme Judicial Court of Massachusetts. 1 *Massachusetts Law Quarterly* 301-318
- Saxe, James A. The Massachusetts Acts and Resolves. 6 *Green Bag* 327-330.
- Warren, Charles. Massachusetts as a philanthropic robber. 12 *Harvard Law Review* 316-334.
- Young, Benjamin L. The new plan for continuous consolidation of the general statutes of Massachusetts. 7 *Massachusetts Law Quarterly* 140-145. (Feb. 1922)

LINTHICUM FOUNDATION PRIZE

The Faculty of Law of Northwestern University Administering the Income of The Charles C. Linthicum Foundation announces that the sum of one thousand dollars and a bronze medal, as a first prize, and two sums of one hundred dollars each, as second prizes with honorable mention, will be awarded to the authors of the best essays or monographs submitted by March 1, 1929, on the subject known as SCIENTIFIC PROPERTY, i.e. the granting of a quasi-patent right to the discoverer of a principle of science.

The subject for the award in 1927 was "The Law of Radio-Communication," and the prize was awarded on June 16, 1927, to Stephen Davis, member of the bars of Oklahoma and New York, and formerly Solicitor to the United States Department of Commerce.

The present offer was originally opened only to members of the legal profession in the United States or Canada; but has now been enlarged to include all countries of the world.

For information address The Linthicum Foundation, Northwestern University Law School, McKinlock Campus, 357 East Chicago Avenue, Chicago, Illinois.

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